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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,295	08/27/2001	Samuel Anderson	36-1481	4008

23117 7590 01/11/2007
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/914,295

Applicant(s)

ANDERSON ET AL.

Examiner

Vanel Frenel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10312001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the application filed on 08/27/01. Claims 1-5 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peters et al (5,884,284) in view of Hogan (5,699,528).

(A) As per claim 1, Peters discloses a method of editing an electronic bill image having an appearance associated therewith, the electronic bill image having a number of records (See Peters, Col.29, lines 3-20), the electronic bill image being stored in a computer implemented billing system, each record having an assigned charge type identifier (CTI) stored in the computer implemented billing system (See Peters, Col.17, lines 39-67 to Col.18, line 23).

Peters does not explicitly disclose that the method having a format of the appearance of the electronic bill image being dependent on the CTIs of the respective records, the method including the steps of establishing a set of data structures, converting each record of the bill image into a record held in one or more of the data

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structures in dependence on the CTI of the respective bill image record, editing one or more of the records held in the data structures, and using the records held in the data structures to create a new electronic bill image, the new electronic bill image having a new appearance.

However, this feature is known in the art, as evidenced by Hogan. In particular, Hogan suggests that the method having a format of the appearance of the electronic bill image being dependent on the CTIs of the respective records, the method including the steps of establishing a set of data structures, converting each record of the bill image into a record held in one or more of the data structures in dependence on the CTI of the respective bill image record, editing one or more of the records held in the data structures, and using the records held in the data structures to create a new electronic bill image, the new electronic bill image having a new appearance (See Hogan, Col.4, lines 36-67 to Col.5, line 43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Hogan within the system of Peters with the motivation of providing a server computer formats the bill information in the form of e-mail messages and deliver them to the e-mail addresses of the responsible users (See Hogan, Col.2, lines 48-50).

(B) As per claim 2, Hogan discloses a method comprising the further step of processing each record held in the data structures in dependence on its assigned CTI to

create the new electronic bill image, the format of the appearance of the new electronic bill image being dependent on the CTIs of the records (See Hogan, Col.5, lines 1-43).

The motivation for combining the respective teachings of Peters and Hogan are as discussed in the rejection of claim 1 above, and incorporated herein.

(C) As per claim 3, Peters discloses a method in which each record of the electronic bill image relates to one of a group consisting of a call charge, a discount, a discount scheme definition, accounting data, customer account data, and product subscription data (See Peters, Col.19, lines 44-45).

(D) As per claim 4, Peters discloses a computer implemented bill image editor comprising: at least one computer readable memory storing computer executable instructions for performing the method of a selective one of claims 1 to 3 (See Fig.1, Col.4, lines 3-19).

(E) As per claim 5, Peters discloses a computer implemented electronic bill image editing system for editing an electronic bill image having an appearance associated therewith, the system being arranged to perform the following operations:

establish a set of data structures (See Peters, Col.19, lines 4-21); convert each record of an electronic bill image into a record held in one or more of the data structures in dependence on an assigned charge type identifier of a respective bill image record (See Peters; Col.17, lines 39-67 to Col.18, line 23).

Peters does not explicitly disclose that the system having permit editing of one or more of the records held in the data structures; and create a new bill image using the records held in the data structures, the new electronic bill image having a new appearance.

However, this feature is known in the art, as evidenced by Hogan. In particular, Hogan suggests that the system having permit editing of one or more of the records held in the data structures; and create a new bill image using the records held in the data structures, the new electronic bill image having a new appearance (See Hogan, Col.4, lines 36-67 to Col.5, line 43).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Hogan within the system of Peters with the motivation of providing a server computer formats the bill information in the form of e-mail messages and deliver them to the e-mail addresses of the responsible users (See Hogan, Col.2, lines 48-50).

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not the applied art teaches method of processing information charge discount rates for service subscribers in premium-rate service (5,793,852).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ALEX Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

V.F
V.F

January 3, 2007

Andrew Joseph Rudy
Primary Examiner, AU 3627